

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**JONATHAN R. SHUE,**

**Plaintiff,**

**v.**

**Case No. 2:23-cv-1709**  
**JUDGE EDMUND A. SARGUS, JR.**  
**Magistrate Judge Peter B. Silvain, Jr.**

**THE OHIO ADULT PAROLE AUTHORITY,**

**Defendant.**

**ORDER**

This matter is before the Court on Plaintiff's Motion to Dismiss. (ECF No. 9.) Plaintiff wishes to have his case dismissed. Pursuant to Federal Rule of Civil Procedure 41, Plaintiff need not obtain Court approval to dismiss an action where the opposing party has not answered or moved for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). Here, the Defendant has not answered or moved for summary judgment. Accordingly, the Court construes Plaintiff's Motion as a Rule 41(a)(1)(A)(i) notice of dismissal, **DISMISSES** this case, and **DENIES as moot** Plaintiff's Motion.

The Clerk is **DIRECTED** to enter judgment **DISMISSING** this case **without prejudice**.

This case is closed.

**IT IS SO ORDERED.**

**4/30/2024**  
**DATED**

**s/Edmund A. Sargus, Jr.**  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**